

REMARKS

Reconsideration of the application is requested.

Claims 39, 41-49, 51-67 are pending. Claims 1-38, 40, and 50 are cancelled. Claims 39, 41, 42, 51, 52, 53, and 54 were amended. Claims 55-67 were added as new claims.

New claims 55-67 find support, for example, in at least the claims as originally filed. Additionally, claim 65 also finds support, for example, from at least paragraphs [0120]-[0136] of the application's publication, US 2006/0149097.

Claims 41 and 42 were only amended to depend from a pending claim after the cancellation of claim 40.

Claims 51 and 52 were only amended to strike the second appearance of "wherein."

Claims 53 and 54 were amended to strike "or" before the appearance of "ruthenium" to provide proper Markush group formatting.

Claim 39 was amended to recite "benzenepolycarboxylic acids or a mixture of one or more benzenepolycarboxylic acids". Claim 39 was also amended to recite "aliphatic amines comprising one or more hydroxyl groups." Support for the amendments may be found, for example, in at least the claims as originally filed. The recitations "for hydrogenating one or more organic compounds," "unsaturated organic compounds," "nitrogen containing organic," and "compounds containing both an amino group and an alcohol hydroxy group" were deleted. The claim was also amended to include proper Markush formatting.

Claim 54 was amended to recite "aliphatic amines comprising one or more hydroxyl groups." Support for the amendment may be found, for example, in at least the claims as originally filed. The recitations "nitrogen containing organic" and "compounds containing both an amino group and an alcohol hydroxy group" were deleted. The claim was also amended to include proper Markush formatting.

No new matter was added.

Drawings

Applicants thank the Examiner for indicating that the drawings were acceptable on page 2 of the Action. The box indicating as much was not checked on the Office Action Summary sheet. Applicants believe this to be a minor oversight. Applicants respectfully request that the Examiner indicate any further action required to fulfill any outstanding requirement if any.

Terminal Disclaimer

A terminal disclaimer was submitted on March 3, 2009 but was not accepted by the Office's paralegal on August 20, 2009. Applicants hereby submit a second terminal disclaimer believing it to comply with all the applicable rules and regulations. The authorization to pay the requisite fee under 37 C.F.R. § 1.20(d) was provided at the time the first terminal disclaimer was submitted. Applicants respectfully request that the Examiner indicate any further action required to fulfill any outstanding requirement if any.

35 U.S.C. § 112

Claims 39, and 43-53 were rejected under 35 U.S.C. § 112, first paragraph, for the reasons stated on pages 2-9 of the Action. Applicants respectfully disagree; however, in order to expedite prosecution, Applicants have removed the subject language from the claims. Withdrawal of the rejection is respectfully requested.

Claims 39-54 were rejected under 35 U.S.C. § 112, second paragraph, for the reasons stated on pages 9-11 of the Action. In order to expedite prosecution, Applicants have removed the subject language from the claims. Applicants have also cancelled claim 50 and corrected the Markush formatting in claims 53 and 54. Withdrawal of the rejection is respectfully requested.

Applicants respectfully request that all rejections be withdrawn and solicit a prompt notice of allowability. In the alternative, Applicants invite the Office to telephone the undersigned attorney if there are any other issues outstanding which have not been presented to the Office's satisfaction.

Respectfully submitted,

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Date

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